

AN ACT

relating to certain procedures in family or juvenile law proceedings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.014(b), Civil Practice and Remedies Code, is amended to read as follows:

(b) An interlocutory appeal under Subsection (a), other than an appeal under Subsection (a)(4) or in a suit brought under the Family Code, stays the commencement of a trial in the trial court pending resolution of the appeal. An interlocutory appeal under Subsection (a)(3), (5), or (8) also stays all other proceedings in the trial court pending resolution of that appeal.

SECTION 2. Section 6.4035(c), Family Code, is amended to read as follows:

(c) Notwithstanding Section 132.001, Civil Practice and Remedies Code, the [The] waiver must be sworn before a notary public who is [but may] not [be sworn before] an attorney in the suit.

SECTION 3. The heading to Section 6.708, Family Code, is amended to read as follows:

Sec. 6.708. COSTS; ATTORNEY'S FEES AND EXPENSES.

SECTION 4. Section 6.708, Family Code, is amended by adding Subsection (c) to read as follows:

(c) In a suit for dissolution of a marriage, the court may award reasonable attorney's fees and expenses. The court may order

1 the fees and expenses and any postjudgment interest to be paid
2 directly to the attorney, who may enforce the order in the
3 attorney's own name by any means available for the enforcement of a
4 judgment for debt.

5 SECTION 5. Sections 201.015(a) and (e), Family Code, are
6 amended to read as follows:

7 (a) A party may request a de novo hearing before the
8 referring court by filing with the clerk of the referring court a
9 written request not later than the third [~~seventh~~] working day
10 after the date the party receives notice of the substance of the
11 associate judge's report as provided by Section 201.011.

12 (e) If a request for a de novo hearing before the referring
13 court is filed by a party, any other party may file a request for a
14 de novo hearing before the referring court not later than the third
15 [~~seventh~~] working day after the date the initial request was filed.

16 SECTION 6. Section 201.1042(b), Family Code, is amended to
17 read as follows:

18 (b) The party requesting a de novo hearing before the
19 referring court shall file notice with the clerk of the referring
20 court not later than the third [~~seventh~~] working day after the date
21 the associate judge signs the proposed order or judgment.

22 SECTION 7. Sections 201.317(a) and (d), Family Code, are
23 amended to read as follows:

24 (a) A party may request a de novo hearing before the
25 referring court by filing with the clerk of the referring court a
26 written request not later than the third [~~seventh~~] working day
27 after the date the party receives notice of the substance of the

1 associate judge's report as provided by Section 201.313.

2 (d) If a request for a de novo hearing before the referring
3 court is filed by a party, any other party may file a request for a
4 de novo hearing before the referring court not later than the third
5 [~~seventh~~] working day after the date the initial request was filed.

6 SECTION 8. The change in law made by this Act to Section
7 51.014(b), Civil Practice and Remedies Code, applies only to an
8 appeal of an interlocutory order rendered on or after the effective
9 date of this Act. An appeal of an interlocutory order rendered
10 before the effective date of this Act is governed by the law in
11 effect immediately before that date, and the former law is
12 continued in effect for that purpose.

13 SECTION 9. The change in law made by this Act to Section
14 6.4035(c), Family Code, applies to a waiver of service of process
15 executed by a party to a suit for the dissolution of a marriage on or
16 after the effective date of this Act, regardless of whether the suit
17 is filed before, on, or after that date.

18 SECTION 10. Section 6.708(c), Family Code, as added by this
19 Act, applies only to a suit for dissolution of a marriage filed on
20 or after the effective date of this Act. A suit filed before that
21 date is governed by the law in effect on the date the suit was filed,
22 and the former law is continued in effect for that purpose.

23 SECTION 11. The changes in law made by this Act to Chapter
24 201, Family Code, apply only to a request for a de novo hearing in a
25 case referred to an associate judge under Chapter 201, Family Code,
26 on or after the effective date of this Act. A request for a de novo
27 hearing in a case referred to an associate judge before the

1 effective date of this Act is governed by the law in effect on the
2 date the case was referred, and the former law is continued in
3 effect for that purpose.

4 SECTION 12. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 1366 was passed by the House on April 18, 2013, by the following vote: Yeas 143, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1366 on May 24, 2013, by the following vote: Yeas 110, Nays 29, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1366 was passed by the Senate, with amendments, on May 21, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor